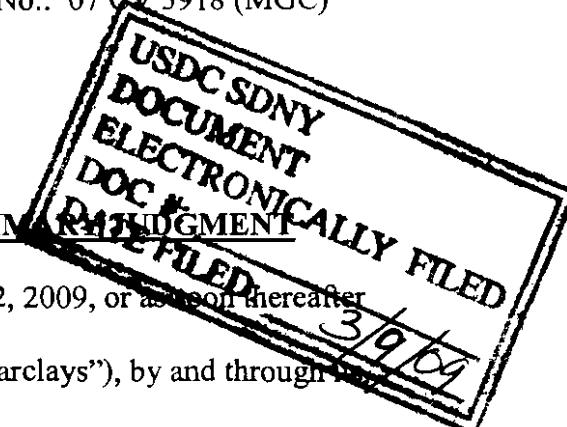


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
Paul H. Legrand, :  
Plaintiff, :  
v. :  
Barclays Capital Inc., :  
Defendant. :  
-----x

**MEMO ENDORSED**

Case No.: 07 CV 3918 (MGC)



**DEFENDANT'S NOTICE OF MOTION FOR SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that on January 22, 2009, or as soon thereafter as counsel can be heard, Defendant Barclays Capital Inc. ("Barclays"), by and through undersigned counsel, shall move in the United States District Court for the Southern District of New York, before the Honorable Miriam G. Cedarbaum, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007-1312, for summary judgment against Plaintiff, Paul H. Legrand, dismissing all claims.

**PLEASE TAKE FURTHER NOTICE** that in support hereof, Barclays shall rely on the accompanying Memorandum of Law, Defendant's Rule 56.1 Statement, the Affidavit of Matthew S. Fitzwater, sworn to on November 14, 2008, and Exhibits A-Y thereto, and the Declaration of David A. Gulley, executed on November 14, 2008, and Exhibit A thereto.

WHEREFORE, Barclays respectfully requests that this Court grant its motion and dismiss all of Plaintiff's claims.

*Motion denied. For oral opinion, see record  
of proceedings.*

*So ordered.*

*March 3, 2009*

*United States District Judge*